

Demi Minor 494475E  
P.O. Box 4004  
Clinton, NJ 08809

*District Court*  
SUPERIOR COURT OF NEW JERSEY  
CIVIL LAW DIVISION  
~~DOCKET NO.: HNT 100273-21~~  
Docket No. 3:21-cv-18806-ZNQ-DEA

JENNIFER PASQUARELLO  
MICHELLE ANGELINA  
PLAINTIFFS

VS.

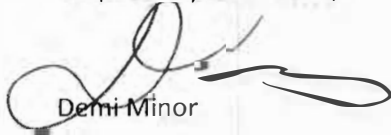
DEMETRIUS MINOR, ET. AL  
DEFENDANTS

:  
: CIVIL ACTION  
: MOTION TO DISMISS COMPLAINT  
: FOR FAILURE TO STATE A CLAIM  
: LACK OF JURISDICTION & LITIGATION FRIVOLOUS  
:  
:  
:

PLEASE TAKE NOTICE THAT, DEFENDANT DEMETRIUS MINOR, HEREBY MOVES BEFORE THIS COURT, FOR  
A ORDER GRANTING DEFENDANT TO PROCEED AS INDIGENT IN THE ABOVE CAPTIONED MATTER.

PLAINTIFF RELIES ON THE ENCLOSED CETIFICATION.

Respectfully Submitted,

  
Demi Minor

August 21, 2021

RECEIVED

DEC - 13 2021

William T Walsh  
Clerk

Demi Minor 494475E  
P.O. Box 4004  
Clinton, NJ 08809

SUPERIOR COURT OF NEW JERSEY  
CIVIL LAW DIVISION  
DOCKET NO.: HNT-L00273-21

JENNIFER PASQUARELLO  
MICHELLE ANGELINA  
PLAINTIFFS

VS.

DEMETRIUS MINOR, ET. AL  
DEFENDANTS

:  
: **CIVIL ACTION**  
: MOTION TO DISMISS COMPLAINT  
: FOR FAILURE TO STATE A CLAIM  
: LACK OF JURISDICTION & FRIVOLOUS  
: LITIGATION


PLEASE TAKE NOTICE THAT, DEFENDANT DEMETRIUS MINOR, HEREBY MOVES BEFORE THIS COURT, FOR A ORDER GRANTING DISMISSAL FROM THIS COMPLAINT, FOR PLAINTIFF'S FAILURE TO STATE A CLAIM IN WHICH RELIEF CAN BE GRANTED UPON, AND FOR LACK OF JURISDICTION GIVEN THE FACT THAT DEFENDANT MINOR IS NOT A STATE AGENT AND AT NO TIME RELEVANT TO THIS COMPLAINT WAS SHE ACTING UNDER COLOR OF LAW.

PLAINTIFF ALSO SUBMITS AND RELIES UPON THE ENCLOSED CERTIFICATION, TO ASSERT THAT SHE IS BEING HARASSED AND DISCRIMINATED AGAINST BY THE ABOVE MENTIONED PLAINTIFF WHO NOW SEEKS MONETARY DAMAGES, DEFENDANT MINOR HAS SUFFERED SEXUAL HARASSMENT FROM BOTH PLAINTIFFS AND HEREBY ASK THIS COURT TO DISMISS HER FROM THIS COMPLAINT.

PROOF OF SERVICE

I DEMI MINOR DO HEREBY CERTIFY THAT ON 8-20-21 I MAILED A COPY OF THIS MOTION AND THE ENCLOSED CERTIFICATION TO PLAINTIFFS AND THE COURT AS WELL NJDOC DEFENDANTS.

Respectfully Submitted,



Ms. Demi Minor 494475E  
Dated: October 20, 2021

Demi Minor 494475E  
P.O. Box 4004  
Clinton, NJ 08809

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Fleming, NJ 08822

RE: Pasquarello, Angelina vs. Martinez Et. al  
Hunterdon County  
Docket No: HNT-L-000273-21  
Civil Division

August 19, 2021

Dear Clerk,

Please find enclosed my response in for the above mentioned case number. I hereby certify the following the Plaintiffs have been harassing myself and other inmates at the facility for months, and are now using this complaint as a way to also harass me, I am responding in accordance with court rules, yet asking that URGENTLY the court consider my motion to dismiss this complaint as it lacks jurisdiction and is frivolous.

1. I am a Defendant in the above mentioned case and have a mailing address of P.O. Box 4004 SBI number 494475e.

2. On August 11, 2021 I was served with a complaint that named me as a defendant and that contained numerous allegations within. I forwarded this complaint to Special Investigation Division and asked that I be granted a Keep Separate. Subsequently I was granted a Keep Separate, which means that these individuals are not supposed to have contact with me and I can not have contact with them.

3. Plaintiffs Jennifer Pasquarello and Michelle Angelina are two inmates who reside at Edna Mahan Correctional Facility; Inmate Angelina and Pasquarello. I have been granted a Keep separate from both of these inmates.

4. Michelle Angelina is an inmate who is serving a life sentence at Edna Mahan Correctional facility, she is also transgender and housed within EMCF under the NJDOC PCS.001.TGI.01 which permits the department to comply with PREA by housing transgender inmates at the facilities that corresponds with their gender identity.

5. Plaintiff Pasquarello and Angelina have been engaged in a romantic relationship whereas they have petitioned the facility to get married and have tried numerous ways to be housed together on the same wing within their unit.

6. I spent about 8 months housed within the same unit with both of the Plaintiffs in this case; during this time I personally witnessed both plaintiffs conspiring to file bogus complaints against staff and other inmates in hopes of gaining housing with each other and to get staff whom would discipline them for unauthorized conduct in trouble.

7. When I first arrived to the Prison in August of 2020 Plaintiff Angelina was placed in Lock-up for threatening another inmate and for making a false complaint against another transgender inmate who arrived to the facility. Inmate Angelina alleged that all transgender women who have not castrated their self-such as she has should not be permitted housing at Edna Mahan Correctional facility for women. She also believes that these women who identify transgender women are not women because they have not castrated their selves as she has.

8. Plaintiff Angelina has expressed through verbal epithets her dislike for African Americans and African American transgender who she believes still possess male genitals, I assert that her ideology is a part of the reason why she is continuing to file these bogus harassing complaints.

9. Plaintiffs, complaint is not only frivolous, but it also lacks jurisdiction. Plaintiff has asserted that the court has jurisdiction over this matter under the New Jersey Civil rights Act, NJSA 10:6-2c; however the NJCRA clearly states that a liable person must be acting under color of law. Myself as well as Carlos Martinez are defined under the law as private people who are not acting under the color of law as such I cannot be the object of a this complaint.

10. Plaintiffs asserts that I have male genitalia, yet makes no argument of how this affects her safety or violated her rights, instead Plaintiff(s) have used this complaint to harass and demean my gender identity and are now using this court to publicize their transphobic ideology. Plaintiff has no proof of this bald assertion and is using this as a way to demean and harass me.

11. Plaintiff Pasquarello, alleges that she was harassed and threatened by me, yet she fails to state how this harassment caused her mental anguish, merely asserting that such harassment caused her mental anguish is all she does, Plaintiff Pasquarello alleges that she was forced to be held in a segregated cell at the EMCFW hospital for more than two hours due to a complaints that was made by another inmate; she alleges that this is what caused her mental anguish and hypertension, yet she fails to detail any medical injuries that she sustained and she fails to explain how I am responsible for them. This assertion just like the complaint fails to state a claim in which the court can grant relief.



12. In paragraph 18 Plaintiffs again make vague allegations that they were approached by myself and other inmates in a "Threatening manner" and subjected to verbal abuse in which they suffered physical distress and headaches, hypertension and insomnia. They allege that this conduct was severe, yet several times both Plaintiffs declined and refused protective custody and were assessed by area correctional Police sergeants with regards to their safety, Plaintiffs failed to exhaust this matter before the NJDOC as such again Plaintiffs have failed to state a claim in which relief can be granted upon.

13. Plaintiffs are fully aware that I am a transgender woman housed within Edna Mahan Correctional Facility for women. NJDOC complies with federal and state law and does not house inmates based on their genital status, instead the Department houses based on an inmate's gender identity. Henceforth, I am identified as a female on NJDOC.net and have been living as a transgender woman for numerous years.

14. Upon information and belief Michelle Angelina was incarcerated at New Jersey State Prison where she was identified as a man, up until she unsuccessfully castrated herself and forced NJDOC to send her to a hospital that subsequently gave her the surgery that the NJDOC has denied her numerous times. Nevertheless Michelle Angelina is a transgender woman.

15. Plaintiff makes allegations that I was observed engaged in heterosexual intercourse with a female inmate in the housing unit, yet there is no evidence of this, and all such allegations have been reported to the Special Investigations Division (SID) who have thoroughly investigated these complaints.

16. While housed within EMCF, I have never been charged with or disciplined for any disciplinary charges, I have maintained a good institutional record and have also worked hard to push for equality and safety for inmates within EMCF.

17. Upon information and belief, Michelle Angelina has continued to use grievance procedure and even the Prison Rape Elimination Act to harass and humiliate inmates who she does not like, administration and custody have been aware of these allegations and have investigated and address all of these concerns.

18. I was never informed about Plaintiff Pasquarello filing a PREA complaint, instead Pasquarello attempted to apologize for telling staff that she observed me kissing inmate Harrison; Pasquarello, said "I just wanted to move on the unit with my wife and did not think it would get you in trouble" at this time Pasquarello believed that she was going to make the situation better, yet I told her that I had nothing to say to her and simply wanted to be left alone.

19. Plaintiff asserts that I am unsuitable for placement and ignorantly states that my genital status as well as me allegedly making threats against female inmates at EMCF is the reason why I should not be housed at EMCFW, again I assert that I have had no disciplinary infractions while housed at EMCF and the allegations that Plaintiffs have made are not only derogatory but also offensive and demeaning in nature, as she consistently refers to me as a male inmate.

20. Plaintiff Angelina has occurred well over 100 disciplinary infraction with at least 15 of those infractions happening while she has been housed at Edna Mahan Correctional Facility for women. She has ripped camera off of walls with her bare hands, she has costed NJDOC hundreds if not thousands of dollars for the damage that she has caused within the prison all because when she does not get what she wants she "makes the state pay". At this current time since the state through EMCFW administration will not house her with her Presumed to be wife Inmate Pasquarello, she intends to, use this litigation to make the state pay for this frivolous litigation.

21. Plaintiff has been jealous and obsessed with my perceived genital status since I have arrived here at EMCF, her decision to file bogus PREA complaints and make false allegations is only a part of her continued campaign of harassment and obsession that she has been carrying out.

22. Plaintiff fails to specifically say what sexual threats were made to her, in addition the Plaintiffs fail to explain how or if these threats or conduct caused them serious injury that is actionable.

23. With regards to the transfers of transgender inmates, just like Plaintiff Angelina who is a transgender, all inmates who pass the PREA screening are permitted to be housed within EMCF, various factors are used and to determine the suitability of the inmate. Yet NJDOC is barred because of NJLAD from ever using genital status to determine if someone is suitable for placement within the prison.

24. Plaintiffs are asking for relief that cannot be granted and that if granted would only violate newly clearly existing that law that is designed to stop the abuse and sexual assault of transgender inmates.

25. Clearly on page 7 Plaintiffs have asked for relief that would violate the rights and only support Plaintiff Angelina wrong inappropriate views. AS THIS Plaintiff has asked for in her complaint, she is asking for there to be a segregated unit that houses inmates by their genital status, this alone would cause serious civil rights violations, as it would reveal private information about inmates and be blatant discrimination under the federal and state law.

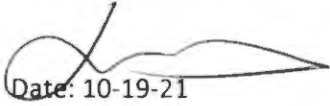
I Demetrius Minor, hereby do assert that I have stated the truth and have stated to the best of my ability.

CONCLUSION

For the reasons stated above I am asking that his complaint be dismissed and that it be noted as because it is a malicious complaint that seeks to harass me.

Respectfully Submitted,

Demetrius Minor 494475E

  
Date: 10-19-21